

WILLIAM DONALD SCHAEFER, Governor

FOR the purpose of altering a certain definition of "eligible person" to exclude from eligibility for treatment at the Patuxent Institution an individual who is serving two or more sentences of imprisonment for life for convictions of murder in the first degree or is serving 1 or more sentences of imprisonment for life when a court or jury has found one or more aggravating circumstances existed under a specific sentencing proceeding.

BY repealing and reenacting, without amendments,

Article 27 - Crimes and Punishments
Section 412
Annotated Code of Maryland
(1982 Replacement Volume and 1986 Supplement)

BY repealing and reenacting, with amendments,

Article 31B - Patuxent Institution
Section 1(g)
Annotated Code of Maryland
(1986 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 27 - Crimes and Punishments

412.

(a) If a person is found guilty of murder, the court or jury that determined the person's guilt shall state in the verdict whether the person is guilty of murder in the first degree or murder in the second degree.

(b) A person found guilty of murder in the first degree shall be sentenced either to death or to imprisonment for life. The sentence shall be imprisonment for life unless (1) the State notified the person in writing at least 30 days prior to trial that it intended to seek a sentence of death, and advised the person of each aggravating circumstance upon which it intended to rely, and (2) a sentence of death is imposed in accordance with § 413.

(c) A person found guilty of murder in the second degree shall be sentenced to imprisonment for not more than 30 years.

Article 31B - Patuxent Institution

1.